

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

PAMELA G. CAPPETTA, )  
                          )  
Plaintiffs,           )  
                          )  
v.                     ) Civil Action No. 3:08-cv-00288  
                          )  
GC SERVICES LIMITED PARTNERSHIP, )  
                          )  
Defendant.           )

**DEFENDANT'S MEMORANDUM IN SUPPORT OF ITS MOTION TO FILE SECOND  
JOINT STIPULATION REGARDING DISCOVERY STATUS UNDER SEAL**

COMES NOW Defendant GC Services Limited Partnership (“GC Services”) by counsel, and in support of its Motion to File Second Joint Stipulation Regarding Discovery Status Under Seal, states as follows.

1. On or about December 24, 2008, the Court ordered the parties to indicate in writing the status of discovery no later than February 3, 2009 [Document 66]. The Court has instructed the parties to present this status report in the form of a Joint Stipulation.

2. Upon motion of Plaintiff, the Court extended the February 3 deadline until February 13, 2009 [Documents 80 and 82, respectively]. Subsequently the parties sought, and the Court granted, an extension for the time allotted for filing the Joint Stipulation until February 17, 2009.

3. Each party’s portion of the Second Joint Stipulation, and in particular Plaintiff’s portion, references and/or includes confidential and proprietary information belonging to Defendant. Such information includes data and coding used in highly proprietary systems and products developed and owned by Defendant and used in carrying out its business operations,

and information contained in confidential and proprietary contracts between Defendant and third parties. Such information has previously been marked "CONFIDENTIAL" by the Defendant pursuant to the Stipulated Protective Order [Docket No. 44].

8. No other procedure will suffice to protect the confidential materials contained in this document upon filing. Accordingly, Defendant seeks to file the Second Joint Stipulation Regarding Discovery Status under seal with the Court.

WHEREFORE, GC Services Limited Partnership respectfully requests that this Court direct the Clerk of Court to file under seal the parties' Second Joint Stipulation Regarding Discovery Status.

Respectfully submitted,

GC SERVICES LIMITED PARTNERSHIP

By: /s/

James C. Skilling (VSB No. 27998)  
Rebecca H. Royals (VSB No. 71420)  
Zev H. Antell (VSB No. 74634)  
Attorneys for GC Services Limited Partnership  
BUTLER, WILLIAMS & SKILLING, P.C.  
100 Shockoe Slip, 4th Floor  
Richmond, Virginia 23219  
Telephone: (804) 648-4848  
Facsimile: (804) 648-6814  
E-mail: jskilling@butlerwilliams.com  
rroyals@butlerwilliams.com  
zantell@butlerwilliams.com

David M. Schultz (admitted *pro hac vice*)  
Attorney for GC Services Limited Partnership  
HINSHAW & CULBERTSON LLP  
222 N. LaSalle Street, Suite 300  
Chicago, IL 60601-1081  
Telephone: (312) 704-3000  
Facsimile: (312) 704-3000  
E-mail: dschultz@hinshawlaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of February, 2009, I electronically filed the foregoing Defendant's Motion to File Joint Stipulation Regarding Discovery Status with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Matthew J. Erausquin, Esquire  
CONSUMER LITIGATION ASSOCIATES, P.C.  
10560 Main Street, PH-15  
Fairfax, Virginia 22030

Leonard A. Bennett, Esquire  
CONSUMER LITIGATION ASSOCIATES, P.C.  
12515 Warwick Boulevard, Suite 100  
Newport News, Virginia 23606

Jason M. Krumbein, Esquire  
KRUMBEIN CONSUMER LEGAL SERVICES  
1650 Willow Lawn Drive, Suite 300  
Richmond, Virginia 23230

*Counsel for Plaintiffs*

/s/  
James C. Skilling (VSB No. 27998)  
Attorney for GC Services Limited Partnership  
BUTLER WILLIAMS & SKILLING, P.C.  
100 Shockoe Slip, 4th Floor  
Richmond, Virginia 23219  
Telephone: (804) 648-4848  
Facsimile: (804) 648-6814  
Email: jskilling@butlerwilliams.com